



**DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**  
(Under 37 CFR § 1.63; includes reference to PCT International Applications)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention ENTITLED:

**DISTRIBUTED ON-DEMAND MEDIA TRANSCODING SYSTEM AND METHOD**

the specification of which:

- ☐ is attached hereto  
☒ was filed on August 20, 2003 as:  
☒ United States Application Serial No. 10/644,602  
☐ as a National Phase or Continuation or Continuation-in-Part or Divisional of  
PCT Application No. \_\_\_, filed  
and designating the U.S., and published as \_\_\_ on  
☐ with amendments through \_\_\_ (if applicable, give details).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT International applications designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign/PCT Application(s) [list additional applications on separate page]:

<u>Country (or PCT)</u>	<u>Application Number:</u>	<u>Filed (Day/Month/Year)</u>
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Priority Claimed:

<u>Yes</u>	<u>No</u>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States application listed below:

<u>(Application Number)</u>	<u>(Filing Date)</u>
-----------------------------	----------------------

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. (or U.S.-designating PCT) Application(s) [list additional applications on separate page]:

U.S. Serial No.:	Filed (Day/Month/Year)	PCT Application No.	Status (patented, pending, abandoned)
10/465,805	20/06/03		Pending
10/141,966	10/05/02		Issued
09/742,294	22/12/00		Issued

I hereby appoint William S. Frommer, Registration No. 25,506, and Frommer Lawrence & Haug LLP, or their duly appointed associate, my attorneys, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to file continuation and divisional applications thereof, to receive the Patent, and to transact all business in the Patent and Trademark Office and in the Courts in connection therewith, and to insert the Serial Number of the application in the space provided above, and specify that all communications about the application are to be directed to the following correspondence address:

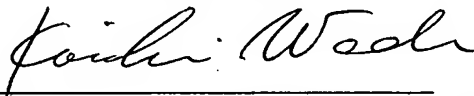
William S. Frommer, Esq.  
c/o FROMMER LAWRENCE & HAUG LLP  
745 Fifth Avenue  
New York, NY 10151

Direct all telephone calls to: (212) 588-0800  
to the attention of: William S. Frommer

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

INVENTOR(S):

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Full name of sole or first inventor: Angela C.W. LAI  
Residence: 1190 Morton Court, Mountain View, CA 94040  
Citizenship: Hong Kong

Signature:  Date: May 6, 2004  
Full name of 2nd joint inventor (if any): Koichi WADA for James Peter HODDIE  
Residence: 579 Ninth Avenue, Menlo Park, CA 94025  
Citizenship: USA

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Full name of 3rd joint inventor (if any): Howard E. CHARTOCK  
Residence: P.O. Box 519, Los Altos, CA 94023  
Citizenship: USA

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Full name of 4th joint inventor (if any): Christopher V. PIRAZZI  
Residence: 656 Fremont St., Menlo Park, CA 94025  
Citizenship: USA

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Full name of 4th joint inventor (if any): Steve H. CHEN  
Residence: 815 Bond Place, Santa Clara, CA 95051  
Citizenship: USA

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Full name of 4th joint inventor (if any): Jody SHAPIRO  
Residence: 3649 Bloomsbury Way, San Jose, CA 95132  
Citizenship: USA

Post Office Address(es) of inventors [if different from residence]: SAME



PATENT  
450100-04876

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Application Number:

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Yes

No

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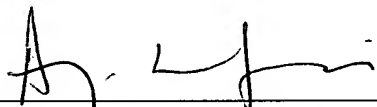
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INVENTOR(S):

Signature:  Date: Nov 24, 2003  
Full name of sole or first inventor: Angela C.W. LAI  
Residence: 1190 Morton Court, Mountain View, CA 94040  
Citizenship: Hong Kong

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Full name of sole or first inventor: James Peter HODDIE  
Residence: 579 Ninth Avenue, Menlo Park, CA 94025  
Citizenship: USA

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Full name of sole or first inventor: Howard E. CHARTOCK  
Residence: P.O. Box 519, Los Altos, CA 74023  
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Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Full name of 2nd joint inventor (if any): Christopher V. PIRAZZI  
Residence: 656 Fremont St, Menlo Park, CA 94025  
Citizenship: USA

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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Residence: 579 Ninth Avenue, Menlo Park, CA 94025  
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Citizenship: USA 94023 HEG

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Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Full name of sole or first inventor: Angela C.W. LAI  
Residence: 1190 Morton Court, Mountain View, CA 94040  
Citizenship: Hong Kong

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Full name of sole or first inventor: James Peter HODDIE  
Residence: 579 Ninth Avenue, Menlo Park, CA 94025  
Citizenship: USA

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Full name of sole or first inventor: Howard E. CHARTOCK  
Residence: P.O. Box 519, Los Altos, CA 74023  
Citizenship: USA

Signature: Chris Date: 11/28/03  
Full name of 2nd joint inventor (if any): Christopher V. PIRAZZI  
Residence: 656 Fremont St, Menlo Park, CA 94025  
Citizenship: USA

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full name of 3rd joint inventor (if any): Steve H. CHEN  
Residence: 815 Bond Place, Santa Clara, CA 95051  
Citizenship: USA

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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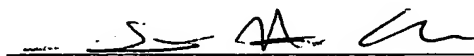
INVENTOR(S):

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Full name of sole or first inventor: Angela C.W. LAI  
Residence: 1190 Morton Court, Mountain View, CA 94040  
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450100-04876

# DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

(Under 37 CFR § 1.63; includes reference to PCT International Applications)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention ENTITLED:

DISTRIBUTED ON-DEMAND MEDIA TRANSCODING SYSTEM AND METHOD

the specification of which:

- ☐ is attached hereto
- ☒ was filed on August 20, 2003 as:
- ☒ United States Application Serial No. 10/644,602
- ☐ as a National Phase or Continuation or Continuation-in-Part or Divisional of PCT Application No. \_\_\_\_\_, filed \_\_\_\_\_
- ☐ and designating the U.S., and published as \_\_\_\_\_ on \_\_\_\_\_
- ☐ with amendments through \_\_\_\_\_ (if applicable, give details).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United State of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT International applications designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign/PCT Application(s) [list additional applications on separate page]:

Country (or PCT)

Application Number:

Filed (Day/Month/Year)

Priority Claimed:

Yes

No

☐  
☐☐  
☐

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States application listed below:

(Application Number)

(Filing Date)

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:



Prior U.S. (or U.S.-designating PCT) Application(s) [list additional applications on separate page]:

U.S. Serial No.:	Filed (Day/Month/Year)	PCT Application No.	Status (patented, pending, abandoned)
10/465,805	20\06\03		Pending
10/141,966	10\05\02		Issued
09/742,294	22\12\00		Issued

I hereby appoint **William S. Frommer**, Registration No. **25,506**, and Frommer Lawrence & Haug LLP, or their duly appointed associate, my attorneys, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to file continuation and divisional applications thereof, to receive the Patent, and to transact all business in the Patent and Trademark Office and in the Courts in connection therewith, and to insert the Serial Number of the application in the space provided above, and specify that all communications about the application are to be directed to the following correspondence address:

William S. Frommer, Esq.  
c/o FROMMER LAWRENCE & HAUG LLP  
745 Fifth Avenue  
New York, NY 10151

Direct all telephone calls to: (212) 588-0800  
to the attention of: William S. Frommer

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

INVENTOR(S):

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Full name of sole or first inventor: Angela C.W. LAI  
Residence: 1190 Morton Court, Mountain View, CA 94040  
Citizenship: Hong Kong


Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Full name of sole or first inventor: James Peter HODDIE  
Residence: 579 Ninth Avenue, Menlo Park, CA 94025  
Citizenship: USA

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Full name of sole or first inventor: Howard E. CHARTOCK  
Residence: P.O. Box 519, Los Altos, CA 74023  
Citizenship: USA

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Full name of 2nd joint inventor (if any): Christopher V. PIRAZZI  
Residence: 656 Fremont St, Menlo Park, CA 94025  
Citizenship: USA

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full name of 3rd joint inventor (if any): Steve H. CHEN  
Residence: 815 Bond Place, Santa Clara, CA 95051  
Citizenship: USA

Signature: 

Date: 12/2/03

Full name of 4th joint inventor (if any): Jody SHAPIRO  
Residence: 3649 Bloomsbury Way, San Jose, CA 95132  
Citizenship: USA

Post Office Address(es) of inventors [if different from residence]:



PATENT  
450100-04876

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Angela C. W. Lai et al.  
Serial No. : 10/644,602  
For : DISTRIBUTED ON-DEMAND MEDIA  
TRANSCODING SYSTEM AND METHOD  
Filed : August 20, 2003  
Examiner : To Be Assigned  
Art Unit : 2171

745 Fifth Avenue  
New York, NY 10151

**EXPRESS MAIL**

Mailing Label Number: EV467849015US

Date of Deposit: June 1, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Charles Jackson  
(Typed or printed name of person mailing paper or fee)

Charles Jackson  
(Signature of person mailing paper or fee)

**DECLARATION OF FACTS IN SUPPORT OF FILING  
ON BEHALF OF OMITTED INVENTOR**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

WILLIAM S. FROMMER declares that:

1. I am a patent attorney representing Sony Corporation, the assignee of the invention described and claimed in the above-identified application. Sony Corporation ("Sony") is the owner of 100% of the title to this application by reason of Sony's purchase of assets, including this application, from Generic Media, Inc. of Palo Alto, California, the original

assignee of this application. Generic Media was the employer of the named inventors at the time the invention was made.

2. On information and belief, the above-identified United States patent application was filed on August 20, 2003 and has been assigned Serial Number 10/644,602. This patent application is a continuation-in-part (CIP) of U.S. application 10/465,805, filed June 20, 2003, which, in turn, is a continuation of U.S. application 10/141,966, which itself is a continuation of U.S. application 09/742,294.

3. The present CIP application 10/644,602 was prepared by Dr. Andrew Smith, Reg. No. 43,132 and was filed with claims 1-83. The inventors initially were believed to be Angela C. W. Lai; James Peter Hoddie; Howard E. Chartock; Christopher V. Pirazzi; Giovanni M. Agnoli; Steve H. Chen; and Jody Shapiro. On information and belief, Angela Lai was the project leader of the development effort resulting in the invention disclosed in this CIP application. On information and belief, this CIP application was reviewed and approved prior to its filing by at least Ms. Lai.

4. The present CIP application was filed without a signed inventors' declaration and was not accompanied by the filing fee. Shortly after preparing and forwarding the inventors' declaration, together with a copy of the application as filed, to the above-named inventors for their signature, Sony requested that certain of the originally filed claims be cancelled, namely, claims 25-28, 52-65 and 70-83. These claims were not cancelled heretofore, and the accompanying Preliminary Amendment cancels claims 25-28, 52-65 and 70-83.

5. As of September 7, 2003, all of the named inventors had signed the inventors' declaration for this CIP application, except Giovanni M. Agnoli and James Peter Hoddie.

6. On information and belief, as a result of the decision to cancel claims 25-28, 52-65 and 70-83, the inventorship of the subject matter defined by the remaining claims was investigated; and it was concluded that Giovanni M. Agnoli was not an inventor of the subject matter of claims 1-24, 29-51 and 66-69, all of the remaining claims.

7. On October 14, 2003, written inquiry was made by Dr. Smith of Mr. Hoddie, questioning when Mr. Hoddie would return the signed inventors' declaration; and on that same day, Mr. Hoddie replied that he was reviewing the CIP application and he did not know when he would complete his review.

8. On October 23, 2004, the entire file for this CIP application was transferred from Dr. Smith to William Frommer; and as of that date Mr. Hoddie still had not signed the inventors' declaration.

9. On November 25, 2004, William Frommer sent another inventors' declaration form to each inventor, except Giovanni M. Agnoli who was determined not to be an inventor of the subject matter of any of claims 1-24, 29-51 and 66-69, the claims that were to remain pending in this CIP application. As of the present date noted below, the inventors' declaration sent by William Frommer has been signed by Angela C. W. Lai; Howard E. Chartock; Christopher V. Pirazzi; Steve H. Chen; and Jody Shapiro. Mr. Hoddie still has not signed the inventors' declaration.

10. On December 1, 2003, William Frommer communicated by e-mail to Mr. Hoddie, sending him another copy of the inventors' declaration and requesting that he sign and return the inventors' declaration by December 15, 2003. On January 12, 2004, William Frommer sent another e-mail to Mr. Hoddie, noting that the inventors' declaration was due for filing in the Patent and Trademark Office by January 13, 2004 (in response to the Notice to File Missing

Parts) and asking when Mr. Hoddie would return the signed inventors' declaration. A follow-up e-mail inquiry was sent from William Frommer to Mr. Hoddie on March 9, 2004; and on March 16, 2004, Mr. Hoddie stated, in an e-mail to William Frommer that he had some questions concerning the application. On March 18, 2004, William Frommer attempted to answer those questions. On March 23, 2004, Mr. Hoddie sent another e-mail to William Frommer, including notes relating to portions of the application.

11. Mr. Hoddie has not expressly refused to sign the inventors' declaration. Nevertheless, as of the date of this Declaration of Facts, Mr. Hoddie has not signed the inventors' declaration.

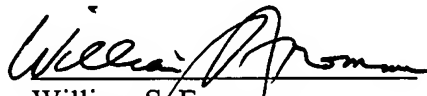
12. It is my belief that Mr. Hoddie will not sign the inventors' declaration for this CIP application.

13. Sony will be irreparably damaged if the PTO does not accept this filing on behalf of omitted inventor James Peter Hoddie because important patent rights in the United States will be lost.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:   
William S. Frommer  
Reg. No. 25,506  
(212) 588-0800



PATENT  
450100-04876

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Angela C. W. Lai et al.  
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Charles Jackson  
(Typed or printed name of person mailing paper or fee)

Charles Jackson  
(Signature of person mailing paper or fee)

**DECLARATION ESTABLISHING PROPRIETARY INTEREST  
BY PERSON SIGNING ON BEHALF OF OMITTED INVENTOR**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

I, Koichi Wada, Manager Intellectual Property Division, Sony Corporation, am the person signing the declaration on the above-identified application on behalf of the omitted inventor and make this declaration as to the facts establishing my proprietary interest.

As of the date I signed the declaration for this application, the proprietary interest in this invention belonged to Sony Corporation, Tokyo, Japan (Sony); and I am authorized to



sign the declaration on behalf of Sony, my title being as evidenced by the attached Limited Power of Attorney to Take Action on Behalf of Sony Corporation.

I establish the proprietary interest by affirming that James Peter Hoddie, the omitted inventor, was an employee of Generic Media, Inc. of Palo Alto, California, at the time he made the invention disclosed and claimed in the above-identified application; and that Mr. Hoddie was under an obligation at that time to assign his invention to Generic Media. I further affirm that Sony Corporation purchased the assets of Generic Media, including the above-identified application, in September 2003.

I further declare that if the Declaration on Behalf of the Omitted Inventor is not accepted, the above-identified U.S. patent application will be abandoned and important patent rights will be lost.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

May 6, 2004

\_\_\_\_\_  
Date



\_\_\_\_\_  
Koichi Wada

**LIMITED POWER OF ATTORNEY TO TAKE ACTION**  
**ON BEHALF OF SONY CORPORATION**

I hereby declare that I am Representative Director of Sony Corporation, a Japanese corporation with offices at 7-85 Kitashinagawa 6-Chome, Shinagawa-ku, Tokyo, Japan. As Representative Director of Sony Corporation, I hereby declare that I have the authority to execute documents required to be signed by and take actions on behalf of the Assignee, Sony Corporation, under 37 C.F.R. §3.71 and 3.73. I hereby revoke all previous powers of attorney granted by me and grant power of attorney to execute those documents required to be signed by and take other actions on behalf of the Assignee, Sony Corporation, under 37 C.F.R. §3.71 and 3.73 to the following individual(s) with the same effect as if I had executed such documents or taken such actions under 37 C.F.R. §3.71 and 3.73 myself, such power to run until revoked in writing:

Yoshihiko Nakamura  
Tatsuya Goto  
Koichi Wada  
Takashi Kotoyori

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that those statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the U S Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signed: \_\_\_\_\_

Kumtaka Ando

Date: \_\_\_\_\_

December 11, 2003

Title: Representative Director, Sony Corporation